

Notice of Allowability

Application No.

10/524,861

Examiner

Christine D. Hopkins

Applicant(s)

BOUFFIER, BERNARD

Art Unit

3735

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment of 31 January 2007.
2. ☒ The allowed claim(s) is/are 17, 18, 22-36 and 38-40.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

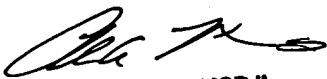
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20070309.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


CHARLES A. MARMOR II
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700
Mark of Paper No./Mail Date 20070309

EXAMINER'S AMENDMENT

1. This Office Action is responsive to the Amendment After Final Rejection filed 31 January 2007. The Examiner acknowledges the amendments to claims 17 and 36.

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Lucas on 8 March 2007.

The application has been amended as follows:

IN THE CLAIMS:

At line 5 of claim 17, "first elongated component or sling" has been changed to --sling--.

At line 8 of claim 17, --first elongated component" has been changed to --sling--.

At lines 13, 15 and 19 of claim 17, and line 1 of claim 29, "first elongated support component" has been changed to --sling--.

At lines 23-26 of claim 17, "a sliding component which enables to pull on the traction component which acts on the elongated support component, to effect through said pulling the translation of one end of the elongated support

Art Unit: 3735

component" has been changed to --a sliding component wherein the sliding component of the anchoring system is configured to act as a pulley, around which the traction component can slide or translate to pull on one end of the sling--.

Claim 21 has been cancelled.

At line 7 of claim 22, "elongated" has been deleted.

At lines 2, 5 and 7 of claim 24, "elongated support component" has been changed to --sling--.

At line 3 of claim 23, "elongated support element" has been changed to --sling--.

At lines 1-2 of claim 29, "first elongated support component" has been changed to --sling--.

At line 5 of claim 33, "first elongated sling" has been changed to --sling--.

At line 6 of claim 33, and lines 6-7 of claim 34, "elongated" has been deleted.

3. The following is an examiner's statement of reasons for allowance: regarding claim 17, the prior art of record does not teach nor suggest a device, as claimed by Applicant, including a sliding component, configured to act as a pulley, around which a traction component may slide to pull on a sling supporting an organ.

Regarding claim 36, the prior art does not teach a method for providing support to an organ, as claimed by Applicant in claim 36, wherein a "cage-

Art Unit: 3735

forming device” constructed of “a series of lateral bridging arms” will induce a “kink” at their mid-point for anchoring, or fixating the device to a surface.

Furthermore, while the prior art does teach the application of anesthesia and a surgical incision for inserting a sling-like component having an anchoring system, the prior art does not teach or suggest a method such that a cage-forming device having lateral bridging arms will kink at a mid-point to anchor the system disclosed in claim 36 after insertion into the tissue of a patient.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine D. Hopkins whose telephone number is (571) 272-9058. The examiner can normally be reached on Monday-Friday, 7 a.m.-3:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Charles Marmor, II can be reached on (571) 272-4730. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

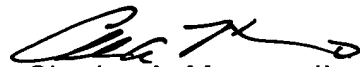
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information

Art Unit: 3735

for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Art Unit 3735



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Art Unit 3735